

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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SENATE BILL 596

Short Title: Statewide Public Defender Offices. (Public)

Sponsors: Senators Clary, Brock; Apodaca, East, Hise, Pate, Rouzer, Rucho, Soucek,
 Stevens, and Tillman.

Referred to: Judiciary I.

April 14, 2011

A BILL TO BE ENTITLED
AN ACT TO DIRECT THE ESTABLISHMENT OF PUBLIC DEFENDER OFFICES ON A
STATEWIDE BASIS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7A-498.7 reads as rewritten:

"(a) The following counties of the State are organized into the defender districts listed below, and in each of those defender districts an office of public defender is established:

Defender District	Counties
<u>1</u>	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans
<u>2</u>	<u>Beaufort, Hyde, Martin, Tyrell,</u> <u>Washington</u>
3A <u>3</u>	<u>Carteret, Craven, Pamlico, Pitt</u>
3B	<u>Carteret</u>
<u>4</u>	<u>Duplin, Jones, Onslow, Sampson</u>
<u>5</u>	<u>New Hanover Hanover, Pender</u>
<u>6</u>	<u>Bertie, Halifax, Hertford,</u> <u>Northampton</u>
<u>7</u>	<u>Edgecombe, Nash, Wilson</u>
<u>8</u>	<u>Greene, Lenoir, Wayne</u>
<u>9</u>	<u>Caswell, Franklin, Granville,</u> <u>Person, Vance, Warren</u>
<u>10</u>	<u>Wake</u>
<u>11</u>	<u>Harnett, Johnston, Lee</u>
<u>12</u>	<u>Cumberland</u>
<u>13</u>	<u>Bladen, Brunswick, Columbus</u>
<u>14</u>	<u>Durham</u>
15B <u>15</u>	<u>Alamance, Orange, Chatham</u>
16A <u>16</u>	<u>Scotland, Hoke Hoke, Robeson,</u> <u>Scotland</u>
16B	<u>Robeson</u>
<u>17</u>	<u>Rockingham, Stokes, Surry</u>
<u>18</u>	<u>Guilford</u>
<u>19</u>	<u>Cabarrus, Montgomery, Moore,</u>



1		<u>Randolph, Rowan</u>
2	<u>20</u>	<u>Anson, Richmond, Stanly, Union</u>
3	<u>21</u>	Forsyth
4	<u>22</u>	<u>Alexander, Davidson, Davie,</u>
5		<u>Iredell</u>
6	<u>23</u>	<u>Alleghany, Ashe, Wilkes, Yadkin</u>
7	<u>24</u>	<u>Avery, Madison, Mitchell,</u>
8		<u>Watauga, Yancey</u>
9	<u>25</u>	<u>Burke, Caldwell, Catawba</u>
10	<u>26</u>	Mecklenburg
11	<u>27A 27</u>	<u>Gaston, Cleveland, Gaston, Lincoln</u>
12	<u>28</u>	Buncombe
13	<u>29B 29</u>	Henderson, <u>McDowell</u> , Polk,
14		<u>Rutherford</u> , Transylvania
15	<u>30</u>	<u>Cherokee, Clay, Graham,</u>
16		<u>Haywood, Jackson, Macon, Swain.</u>

17 ~~After notice to, and consultation with, the affected district bar, senior resident superior court~~
 18 ~~judge, and chief district court judge, the Commission on Indigent Defense Services may~~
 19 ~~recommend to the General Assembly that a district or regional public defender office be~~
 20 ~~established. A legislative act is required in order to establish a new office or to abolish an~~
 21 ~~existing office."~~

22 **SECTION 2.** The Judicial Department, Office of Indigent Defense Services, shall
 23 use available funds during the 2011-2013 biennium for the expansion of existing public
 24 defender offices providing legal services to the indigent population under the oversight of the
 25 Office of Indigent Defense Services and for the creation of new public defender offices
 26 established by Section 1 of this act. These funds may be used for salaries, benefits, equipment,
 27 and related expenses.

28 **SECTION 3.** This act becomes effective January 1, 2012.